*File No.* 199

*19* 32.

**Collection No.**

Mysore Residency

Bangalore.

**Pros. Serial Nos.** 1-4

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**Subject.**

Extension of the provisions of the Bankers Books Evidence Act, 1891(XVIII of 1891) to the books kept by the firm of Rai Bahadur Bansilal Ramrathandas.

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**Previous References.**

F No 225 of 32

**Later References.**

S. 97.—(Blue).

MFP—1683&P—(M-164)—11-8-31—50,000.

S.N.1

Letter dated the 31st March, 1932, from Rai Bahadur Seth Sir Bisesardass Daga, Kt., Managing Partner, R.B. Bansilal Abirchand, Bikaner.

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1) The advantage of the local Govt applying the Bankers Books Evidence Act, 1891, by notification under sec. 3, to the books of any firm lies in the fact that it enables the firm to file certified copies of the relevent extracts from its books in all legal proceedings. The courts are bound to recognise such extracts as prima facie evidence under sec. 4 of the Act.

S.N.1 2/1

The firm, of Rai Bahadur Bansilal Abirchand claims to have received this concession from the Governments of S.N.1/a-e. Bombay, Central Provinces, and Burma, in respect of its branches situated within their jurisdication. The branch in the Station is known by the name of Rai Bahadur Bansilal Ramnathandas. The branches at different places are said to be independent of one another.

2) The Act is referred to as item 47 of the list of Acts in force in the station. It does not however appear that the concession has been extended to any firm in the Station so far. Before the question is ~~therefore~~ considered with reference to the branch of the firm in the Station, it is desirable to have ~~information as to its Status etc.,~~ the remarks of the Collector on the subject ~~may be invited.~~

Draft submitted for approval.

V.V. Mavalankar
24/6/32

S.N.2 Issued 4301 dated the 30.6.1932.

OFFICE OF THE RESIDENT IN MYSORE
BANGALORE.
27 MAY 1932
Regd. No. 4864
File No. 199/32.

Bikaner, 31st March 1932.

From

Rai Bahadur Seth Sir Bisesardass Daga, Kt.,
Managing Partner, R. B. Bansilal Abirchand.

To

The Hon'ble the Resident in Mysore,

Bangalore.

Respected Sir,

I beg to bring to your kind notice the following facts and request that my prayer herein to extend the provisions of the Bankers Books Evidence Act to my -- firm in Bangalore, may kindly be granted.

2. The firm of Rai Bahadur Bansilal Abirchand is a long standing and well established firm of Bankers, - Government Treasurers, Mill & Mine Owners having their head-quarters at Kamptee in the Central Provinces and carrying on business in various places in British - - India as well as outside British India. The above - firm has a branch in Commercial Street in the Civil and - Military Station, Bangalore and carries on business under the name and style of Rai Bahadur Bansilal Ramrathandas.

3. The branches at different places are independent of one another and each branch maintains a regular set of the following principal books of account, besides other minor books for recording its transactions :-

(a) Ledger (khata)
(b) Day book (Nakal Bahi)
(c) Cash book (Rokad).

4. The above books are often required to be produc--ed before Courts in judicial and other proceedings. Great inconvenience is caused to us from our having - to produce our books in Courts; and at times these - - books are detained for months until the appeal time - has expired. The account books are usually of great size and weight and are indispensable for entering -- the daily transactions of the firm concerned.

Furthermore, by their removal from the office to the Court to and fro, there is the danger and risk of -- some of the transactions leaking out causing annoyance to our constituents. This has proved in several - - cases most harmful to us as a banking concern.

5. In view of the above facts, I most respectfully request that the privilege of the provisions of Section 3 of the Bankers' Books Evidence Act (XVIII of 1891) may be extended to the books of our Bangalore firm under your administration, so that the Courts - may recognise in all legal proceedings, certified - copies of the relevant entries of our books as prima facie evidence as set forth in the aforesaid enactment.

6. I am constrained to make this request as a - - result of our past long experience of the troubles, inconveniences and risks which the present system - entails upon us. I therefore request that our prayer may be sympathetically considered.

7. In order to give an idea of the extent and -- magnitude of our business I may be permitted to state that every year the total incometax paid to the - -- British Government amounts approximately to Rs Two lakhs and the Bangalore Firm alone pays approximately - -- Rs 5896/- per annum.

8. In conclusion, I beg to state that the concession prayed for in this respect has recently been -- granted by the Government of Central Provinces in -- respect of 9 branches in that Province Vide C. P. Government Notification No.2227-2161 XIII & No.2228-2161 XIII of the 17th of October 1931, a copy of -- which is herewith enclosed for facility of reference. Similarly Annexures 'B' & 'C' are true copies of concession granted by two other Governments

Soliciting a favourable consideration and an early reply

I beg to remain,
Respected Sir,
Your most obedient servant,

Bisesardass Daga
Managing Partner.

4/2

ANNEXURE 'B'

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Notification No.15 dated the 4th February 1932
of the Revenue Department of the Government of
B U R M A.

REVENUE DEPARTMENT

NOTIFICATION

Rangoon the 4th February 1932

No.15 - In exercise of the powers conferred by Section 3 of the Bankers' Books Evidence Act, 1891 (XVIII of 1891) the Governor in Council is pleased to extend the provisions of the said Act to the Books kept by the firm of Rai Bahadur Bansilal Abirchand of Kamptee in the Central Provinces, in their capacity as bankers.

By Order

H. L. Nicholas

Secretary to the Government of Burma
Revenue Department.

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Copy

ANNEXURE 'C'

C

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N O T I F I C A T I O N.

Home Department

Bombay Castle, 16th February 1932

No.21/3.- In exercise pf the powers conferred by Section 3 of the Bankers' Books Evidence Act, 1891 (XVIII), the Governor in Council is pleased to extend the provisions of the said Act to the books of the -- Bombay branch of the firm of Rai Bahadur Bansilal - - Abirchand.

By order of the Governor
in Council

R. M. Maxwell

Offg. Secretary to the Government
of Bombay, Home Department.

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Copy

No. 3259-D-32.

Office of the Collector,
Civil and Military Station, Bangalore.

*Dated* 15thJuly 1932.

FROM

G.H.Cooke,Esq.,I.C.,I.C.S.,
COLLECTOR, CIVIL AND MILITARY STATION,
BANGALORE,

To

The Secretary
to the Hon'ble the Resident in Mysore,
Bangalore.

SIR,

Bankers books Evidence Act (XVIII of 1891)- Extendion of the Provision of the said Act to the books kept by the firm of Rai Bahadur - Bensilal Ramarathandoss - Application from Rai Bahadur Seth Bisesardass Daga, Kt., - Managing partner, Bikaner -Your No.4801/199-1932 dated 30-6-32.

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OFFICE OF THE RESIDENT IN MYSORE.
BANGALORE.
19 JULY 1932
Regd. No. 6463
File. No. 199/32.

I see no objection to the extension of provisions of the Act to the books kept by the firm at Bangalore.

I have the honour to be,

Sir,

Your most obedient servant,

DESPATCHED
18 JUL 1932

COLLECTOR.

14

PROCEEDINGS OF THE HON'BLE THE RESIDENT IN MYSORE.

No. 503/ Dated Bangalore, 28th July, 1932.

Read:-

Letter dated the 21st March, 1932, from Rai Bahadur Seth Sir Bisesardass Daga, Kt., Managing Partner, R.B. Bansilal Abirchand, Bikaner.

Letter No.3259-D-32, dated the 16th July, 1932, from the Collector, Civil and Military Station, Bangalore.

S.N.1.

S.N.3.

ORDER.

In exercise of the powers conferred by section 3 of the Bankers Books Evidence Act, 1891 (XVIII of 1891) as applied to the C.& M.Station, Bangalore, the Hon'ble the Resident in Mysore is pleased to extend the provisions of the said Act to the books kept by the firm of Rai Bahadur Bansilal Ramrathandas, in their capacity as Bankers at the following place in the C.& M.Station, Bangalore.

1. Commercial Street.

Secy. to the Resident.

To Rai Bahadur Seth Sir Bisesardass Daga, Kt., Managing Partner, R.B. Bansilal Abirchand, Bikaner.

The Collector, Civil and Military Station, Bangalore.